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WIDOW AND MOTHER ASK HEAVY DAMAGES

LOS ANGELES, September 24.—Upon the eve of the trial of the McNamaras and almost just a year after the blowing up of the Times office on October 1, 1910, the widow and mother of Mrs. Harvey Elder have filed suit against Gen. H. G. Otis and the Times-Mirror Publishing Company for \$50,000 damages on account of the death of Elder, who was assistant city editor of the Times on the night of the explosion and jumped from a window, dying a few hours later.

TWO KILLED IN WRECK.

PITTSBURGH, Pennsylvania, September 24.—The eighteen-hour limited Chicago express train from New York was wrecked near here yesterday and the engineer and engineer were killed.

COOPER LENIENT ON NEW GAMBLERS

But Professionals Must Look for
Maximum Sentence in
His Court.

"The prosecuting officers wished the fine of \$50 to stand in the case of Ah Sing who was sentenced to pay this amount in the lower court, but as this was his first offense I thought it too much," said Judge Henry Cooper yesterday in discussing a case in which a gambler, convicted in the district court, pleaded guilty on his appeal and had his fine cut in two.

"I believe that all should be treated alike," he continued, "and there was no evidence to show that this man had ever been the proprietor of a game or had been convicted before the present time."

Speaking further Judge Cooper stated that as the other members of the gambling party were sentenced to pay but seven and one-half dollars in fines, this fine so much higher in the case of Ah Sing looked out of proportion, although Ah Sing was dealing in the game when the police raided it.

"When I know a man to be a confirmed gambler, or when he is the proprietor of a gambling place and runs such to fleece the public, then he will get the maximum sentence before me if he is proven guilty as charged."

"In the case of Ah Sing it appeared that he was the dealer in the game at the time the police raided it, but as he has never been before the court of a gambling charge I do not think he should be given a sentence of \$50. There is gambling going on in many places besides among the orientals in the city I believe, and when a crowd of them get together for a friendly game I do not think they should be given the maximum sentence if found out by the police," said the judge.

The point the judge wishes to make, in his dealing with the gamblers who come before him, is that of protecting the public.

In case a notorious gambler who has been convicted on previous occasions, and who runs games to get money away from his countrymen comes up and is found guilty, he will be given the maximum sentence.

On the other hand, should gamblers be arrested who have never appeared in court before, and who are having only a friendly game among members of their own race, then they will be dealt with accordingly.

KAHN LAUNCHES A BOOM FOR KUHIO

(Continued From Page Three)

need, and at this particular time you need his services at the capital more than you ever have."

Turning to the Delegate, Mr. Kahn spoke of the duty men owe to their communities, duties at times opposed to their personal desires. He illustrated this by a story of President, then Judge, Taft's interview with President McKinley, when it was pointed out to the latter that his desire to remain on the bench could not stand in view of the fact that he was wanted to serve his country as the first governor-general of the Philippines.

Thanks and City Key.

At the conclusion of Mr. Kahn's address, E. I. Spalding, president of the chamber of commerce, moved a vote of thanks and called upon Mayor Fern to present Mr. Kahn with the keys of the city, if the supervisors hadn't pawned them. He also requested the mayor to proclaim Mr. Kahn an honorary citizen of Honolulu.

His Honor, in a very pointed speech, seconded Mr. Kahn's idea that Hawaii should return "the alii" to congress, the words of the Democratic mayor creating more or less of a sensation. The speechmaking came to a close with an address by Walter F. Dillingham on "The Ladies," the speaker prefacing his remarks by stating that he had graduated from that particular subject now as a general thing and should have been called upon to speak for "the babies." Mr. Dillingham, referring to Mr. Kahn's reference to the hospitality of Hawaii, said that he was glad to know that strangers found Hawaiian hospitality still existing, as it was something which Hawaiian sons and daughters were most proud of. "Honolulu was once the greeting spot of the Pacific; now it bristles with guns," he said, "but, as the reef which prevents the approach of ships also affords within it the quiet harbor, so the great guns only hold as a zone of peace the spot where we may welcome all comers as friends."

Those Present.

Attending the luncheon to greet Mr. Kahn were the following: Hon. J. K. Kulanianoaale, E. I. Spalding, J. A. Kennedy, R. Ivers, C. H. Cooke, T. C. Davies, J. D. Dole, J. M. Dowsett, W. Pfothbauer, James P. Morgan, E. E. Paxton, T. H. Petrie, Albert Waterhouse, J. W. Waldron, Rear-Admiral Walter C. Cowles, Brig. Gen. M. M. Macomb, Secretary Mott-Smith, Chief Justice A. G. M. Robertson, Hon. Cecil Brown, Hon. A. Judd, Hon. C. Chillingworth, Mayor J. J. Fern, Hon. Charles F. Clemens, John Lane, Carl Widemann, Ella Long, Sam Dwight, W. F. Dillingham, Alfred Castle, William Williamson, Norman Watkins, Wallace Farrington, R. O. Matheson, Judge H. E. Cooper, Judge W. Whitney, Judge W. J. Robinson, Justice De Bolt, F. W. Macfarlane, Fred L. Waldron, John Waterhouse, A. Gortley, George Rodick, P. M. Swannay, W. Lane, A. N. Campbell, Hon. George H. Fairchild, C. W. Ashford, H. D. Mead, F. O. White and W. O. Smith.

PASSING OF BAILEY MARKS END OF CONSERVATIVE DEMOCRACY

Texas's Fighting Career
Has Made Him
Notable

By Ernest G. Walker.
(Mail Special to The Advertiser.)

WASHINGTON, September 8.—Bailey's obituary comments are now dattling from news rooms and editorial sanctuaries, all, whether they be in praise or criticism, constituting a tribute to the ability of the Texas senator who says he has had enough of public life. It goes to emphasize what a forum the senate is and what great opportunities it offers for public service. No great senator passes without every State in the Union taking notice and Bailey's abilities are very much out of the ordinary.

The Texas will not be fifty years old when his present term expires, a year from next March. He came to the national house twenty years ago, was the minority leader there during a congress or two and then won an election to the senate where he is now rounding out twelve years of service. For a good part of that time he has been the recognized Democratic leader of the senate. In the rough and tumble of controversy, he is conceded to be the peer of any man in the senate. His qualifications there have been recognized in spite of certain temperamental weaknesses, such as a quickness in anger that betrayed him into several disagreeable quarrels. Years ago he fell upon Senator Beveridge of Indiana, but wrought no damage beyond yanking the Hoosier's cravat out of plumb. More recently he had a dispute with a newspaper correspondent, who struck him with a cane. In the last congress he resigned in a huff because Democrats displayed sympathy with the judicial recall in Arizona. This resignation, handed to the Vice President and telegraphed to the Governor of Texas, was recalled, after Bailey had had opportunity to think about it for a few hours.

The Texas quarreled less violently with one or two Republican Presidents and, during the Roosevelt administrations, gave the White House a wide berth. He went there once demanding some action in the case of an army officer, who was a native of or had resided much in Texas and became angry because his request was not complied with. He has been on friendly terms, however, with President Taft.

In Oahu.

Quite a while ago, the report began to circulate that Bailey was in cahoots with Republican leaders. He persisted and persisted and is quite generally believed at the Capitol. He and Senator Aldrich seemed to have an understanding on many matters and this was annoying to Democratic senators. Bailey appeared to grow more and more conservative and this probably encouraged the view that he was cooperating, on occasion, with the Republicans. His connection, as an attorney, with the Waters Pierce Company, a subsidiary of Standard Oil, was developed after many denials from him. It undoubtedly served to undermine his prestige in the senate not a little and during the last session of congress it was plain that he had virtually no following among Democratic senators. He entertains tariff views not in accord with his party. He refuses to accept the free raw material doctrine and has clashed much with Bryan on that and other party issues. In fact he all but bolted Bryan in 1896 and the Nebraska has never forgiven him for that.

Senator Simmons, of North Carolina, a high tariff and protection Democrat, has cooperated much with Bailey. So has Senator Paynter of Kentucky, who has become something of a White House Democrat and who, a few weeks ago, withdrew from a race for reelection when it became apparent that a radical Democrat in the person of Representative Ollie James would certainly defeat him for the primary designation. The two Louisiana senators have also cooperated a little with Bailey but the Louisianians are recognized as exceptions. The senators from that State have long been protectionists, because of the interests of the State in cane sugar.

Turned Feevish.

With his loss of influence Senator Bailey has become feevish. He has stood out persistently for his views, however, and at the recent session was responsible for the defeat of the house tariff bill, known as the farmers' free list. Had he voted for it the house bill would have carried in the senate without amendment. He has unexcelled powers as a speaker and has continued to present his opinions with much force. The senate attendance was also a big thing in the galleries as assured whenever he makes a set speech. He presents his ideas very clearly, has a magnificent speaking voice and it is often said that if one accepts Bailey's premises there is no escape from his conclusions.

Fell Before Temptation.

While he has not identified himself with a small and influential circle of senators who form an exclusive circle of their own, he has been much in sympathy with them. When he first came to Washington he refused to wear evening dress. His aversion to any inconsistency prevented him for many years from participating in social affairs, because he recognized that a senator who did not buy a new suit of clothes was not a little uncomfortable over the notoriety it brought him. Then he is without question a close student of public questions and realized that if he maintained his position as a well informed senator he could not give much time to the pleasant diversions for which Washington has become



SENATOR BAILEY.

more and more notable in recent years. He is very able as a lawyer and likes money for what it can bring him and his family. For a long time he maintained a stock farm in Kentucky. Big retainers were offered him and some of these he accepted. His father was a Pennsylvanian, in spite of the fact that Bailey is intensely southern and belongs to the old school of southern thinkers on public questions, and he has some very influential Republican friends in Pennsylvania.

Presidential Possibility.

For two or three years, when the talk of naming a southern Democrat for President first began Bailey was much mentioned in that connection. If he had maintained his popularity and had not fallen under suspicion it is quite likely that in due time he would have become formidable in that connection. He said once that the fact he had in his office a picture of Jefferson Davis hanging on the wall (Davis, like Bailey, having been a native of Mississippi) would alone prevent his nomination ever for the presidency of the United States.

Newcomers Would Not Follow.

The advent of many new Democratic senators at the recent session of congress increased Bailey's discomfort. Almost to a man they disregarded his advice as to policies and went their own way, siding with the so-called progressive view of things. In the meantime he had become more and more of an issue in Texas. Almost the entire Democratic delegation from Texas in the house, including several men who had previously been Bailey's close personal and political friends, deserted him. The war on him within his own party was becoming so fierce as to be exceedingly uncomfortable. He was charged, with some show of veracity, of having changed his coat suddenly when it would save him from embarrassment. Originally an advocate of statewide prohibition, he quickly joined the "wets" three years ago, supposedly to gain sufficient support to be elected as a delegate at large to the last Democratic national convention. He won his last election to the senate only after a very bitter fight and the signs were multiplying that his enemies in Texas, where they take their politics very seriously and wage political battles without quarter, would at last "get him."

Much as Senator Bailey likes the income that active practice of law will bring him, it is not unlikely that he would have chosen to remain in public life if he could have seen his way clear to a reelection. There is little doubt that, foreseeing defeat, he preferred to anticipate it by voluntary retirement. Texas has not favored long tenure for her senators and apparently Bailey had lost as strongly in prestige among his constituents as he had among his Democratic associates in the senate.

Loss to Conservative Democracy.

Bailey's retirement breaks the back of the ultra conservative Democracy in the senate. Not a few of the Southern senators still hold aloof from the progressive Democracy, now pretty well entrenched on the Democratic side of the chamber, but all in all with the elimination of Bailey there will be decidedly more unanimity of policy and action among the senators of that party. The tendency of recent elections has been decidedly toward the elimination of Democrats of Bailey's way of thinking. Senator Percy of Mississippi, whom Bailey approved of very strongly, was recently defeated for reelection and the radical Vanderman comes to this senate in his place at the close of this congress. There is a light in North Carolina for the retirement of Simmons, which apparently may prevail, although the issue is still somewhat uncertain. Kentucky has recently voted for a more progressive Democratic senator, as Florida did last year in retiring Senator Tallaferrro, who was a Democrat very like Bailey in many ways.

Of course the Texas has still two sessions of service in the senate as have Paynter and Percy, unless the latter persists in resigning for the remainder of his time. But his influence there is virtually confined to his own vote. Georgia forthwith sends Governor Hoke Smith, who probably will bow large at Washington as a type of Southern Democrat in sympathy with the new order of things. Many Southerners in congress, while proclaiming themselves as Democrats and asserting the oldtime views about governmental affairs, have been and still are not a little in sympathy with the Republicans and have a disposition to support many Republican policies.

The newer Southern senators are distinctly of a different school. That does not mean they are of the radical Bryan type, although standing for much that Bryan stands for. The resignation of Bailey takes on special significance because it further demonstrates the transformation which became more noticeable than ever last autumn when the elections

KAKAOKO BLIND PIGS IN DROVES

(Continued from Page Two.)
The question from the applicant. For this reason he was compelled to ask the board to continue the matter till the next regular meeting, which was needed to. He wrote to Wailua, requesting the applicant to be at the meeting yesterday, but to call at his office in the morning. The applicant, however, had not put in an appearance. Mr. Douthitt was there without the applicant, and he knew very little about the case. The man's absence was no doubt due to his having overlooked the engagement. Mr. Douthitt had done everything possible, and as he realized that the board had been indulgent with him, it was with feelings of diffidence that he asked that the matter be allowed to stand over until another meeting. In the meantime he would take the affair up with his client again. The commissioners acceded to the request.

Bashful Family Trade.

R. J. Buchly stepped forward and addressed the commissioners. He said that he would like to see regulation No. 14 amended. At present it read that all wholesalers must keep a record of all their sales. He would like to have it altered to read that all licensees, wholesale and retail, should not have to keep a record of anything under six bottles of beer, three bottles of liquor and one gallon of wine. This, he thought, would be satisfactory. The wholesalers who did a family business, had people buying just one bottle, and it was a little annoying to have to ask the people their names. The record was made so that the inspector could keep a check on where the liquor was going in order to see whether the blind pigs were buying wholesale.

In response to a question from the commissioners, he stated that he merely represented Peacock & Co., as he had not had an opportunity to speak to the other people about it.

The commissioners announced that they would take it up, and would let Mr. Buchly know the result of their deliberations.

Rosa Investigation.

The next matter taken up was that of the Rosa wholesale house. It had been charged at a previous meeting that Mr. Rosa had not kept a true record of the sales in accordance with regulation No. 14. It was alleged that a sale made to a hackman named John Haiola on July 25 had not been recorded.

Rosa denied that he had failed to record the sale, saying that he had not made any such sale of wine to the hackman.

The hackman was sitting in the chamber, and on being called, stated that he bought a five-gallon demijohn of wine from the Rosa establishment on July 25. It was a Portuguese attendant who sold it to him. He had frequently got wine from the house.

The Portuguese attendant was then called. He denied that he had sold any wine to the hackman on the date mentioned. He saw the hackman pass the store with a five-gallon demijohn on July 25. He did not know where he obtained it, but it was not from the Rosa house.

Mr. Rosa spoke up and said that the hackman had been seen nearly every day lately with a five- or a ten-gallon demijohn in his back.

"Where do you get the wine from, John?" he was asked.

He replied that he got it from the Rosa house once or twice a week.

Rosa replied that the man was not telling the truth. He added that the hackman had not been in his place since the middle of July. Yesterday afternoon he saw the driver with a five-gallon demijohn in his back.

On being asked what he did with the wine, Haiola replied that he took it to a woman in Kakaoko. He bought it sometimes once, sometimes twice and as often as three times a week.

"Why did you stop buying it from Rosa?" the commissioners asked.

"Because he did not give me full demijohns," was the reply, amid the laughter of the board.

The wine that he had that day, he said, was procured from the Chinese shop at the corner of Hotel and Maunakea streets.

Mr. Rosa stated that he had not spoken to the hackman since July 15 last.

Blind Pigs on Wheels.

One member stated that it seemed to him as though the hackman made a good business out of peddling for the blind pigs. He might have got it from the Rosa house and made a mistake about the date. The man seemed to make a business of not carrying passengers but booze. There were a lot of men in the Kakaoko district in the same business. He gave it as his opinion that if they watched the hackman all the time they would find half the booze joints.

The hackman was dismissed at this stage, and Pennell started to go through the books of the Rosa house. He had certain memoranda, and he asked Mr. Rosa to turn up dates to show whether the records were being kept as prescribed by law. Some of the records did not agree with the information in the hands of Pennell. This was explained by the fact that there might have been a mistake in the number of the house, as it would be noticed that the houses were close together. Mr. Rosa said he could not say much about it, because he did not know, but he could get the driver who made the delivery to tell the commissioners what he knew.

There were other discrepancies between the books and the memoranda,

brought in a big crop of Democratic senators from States that had been going Republican. The new Democrats are virtually shaping the character of the senate, as well as of their own party representation there and that is worth making a note of because the Democrats and the insurgents comprise the working majority of the senate and have every prospect of continuing in that role for the next two years.

An exceedingly drunk man, on a very rainy day, stood weaving back and forth beneath a belching water-spout. A passing policeman took him by the arm, thinking to lead him away, but the drunk resisted weakly and mumbled: "Shave the woman an' children, I'm a swim.—Everybody's Magazine."

ROAD COMMITTEE ARRANGES DEAL

Matter of Road Over Lucas Property Up at Next Meeting of Supervisors.

At the next meeting of the board of supervisors it is expected that by vote of the board the matter of settling for the road at Kaimuki, which crosses three lots owned by Jack Lucas, will be arranged to the satisfaction of the owner.

It appears that in order to get an outlet into Diamond Head avenue one street which came to an abrupt stop was continued over the land owned by Lucas, and traffic has been traveling across this private property for a couple of years.

Only recently Lucas appeared before the city fathers in council assembled and told them in no measured terms that he wanted something done about settling for this land which had been appropriated, and that unless he did receive some guarantee of this being done in the near future he would build a fence across the street in question.

Got No Reply.

He stated at that time that he had taken the matter up with various members of the board at different times and that two months previously he had written a letter to the board stating his position, and the board had never even answered his communication.

The board assured Mr. Lucas at that meeting that the matter would be taken up immediately and something done about it.

Committee Inspected.

During the past week the members of the road committee and City Engineer Gere went out to Waikeiki to look the road over, and decide what could be done.

These officials had a conference with Major Timberlake, commanding at Fort Ruger, in regard to having the road pass over some government land in place of going over that of Lucas, but the military officer was well satisfied with the road as it was and did not care for it on the reservation. In this extremity the party looked over the surrounding property and found some public land owned by the territory near the disputed roadway.

Will Make Exchange.

It was found that this could be obtained and was offered to Mr. Lucas for his three lots which the road has usurped, to which change he was agreeable.

The land which Lucas will obtain is understood to be part of the former military reservation, and is part of a strip which was given back to the Territory by the United States government.

TACKLES ROADS OF BIG ISLAND

(Continued From Page Three.)

took to the mud while Mr. Thurston went down Mud Lane toward Kukuluae exploring for a telephone. He finally discovered one at a ditch tender's house and got into communication with the Volcano Stables' office at Waimea, only to discover that all the autos had gone to Kohala and the backs to Kawaihae.

Didn't Have to Swim.

Finally a buckboard and a buggy with a couple of broken down teams were secured. Meanwhile it poured and poured, drenched to the skin, and each secured an outfit of clothing at a Chinese store. Kennedy succeeded in getting a pair of overalls that buttoned around his neck, with a woolen shirt with buttons that were apparently glued on, as they all came off when he started to button the garment. Chinese slippers completed his costume. None of the overalls would fit Thompson and he was fitted out with a suit of cowboy corduroy and Chinese slippers.

The party reunited at Akona's famous hotel at Waimea, and after drinking hot coffee and eating a few cold eatables, the party resumed progress for Kawaihae in the buckboard and buggy arriving at eight-thirty Friday evening. The Mauna Kea had been held two hours for the party, but an hour was picked up and the vessel arrived at Honolulu yesterday morning at eight o'clock.

The particular object in making the overland trip was to enable Mr. Kahn to see the magnificent stretch of land lying between the Kohala Mountains and Maunakea. The fog and rain were so thick, however, that Mr. Kahn could only see a few hundred feet ahead. Mr. Kahn remarked yesterday on his return that he had not seen very much of the imperial domain which was hidden behind the clouds, but he felt considerable of it and thought it was very fine land.

DANGER OF BLOOD POISONING.

Every family should at all times be provided with a good reliable liniment and those who have used Chamberlain's Pain Balm will admit that there is none better. Even as slight an injury as the scratch of a pin has resulted in blood poisoning and caused the loss of a limb. Such injuries are of no consequence when Pain Balm is promptly applied. Cuts, bruises and sprains are cured in one-third less time when it is used and all danger of blood poisoning is avoided, so it is satisfactory. For sale by Benson, Smith & Co., Ltd. Agents for Hawaii.